

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 9/13/2012

Action Requested By:
Community
Development

Agenda Item Type
Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 34 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the September 13, 2012, City Council meeting.

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 8/29/2012

RESOLUTION NO: 12- _____

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

WHEREAS, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

WHEREAS, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

BE IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294** " on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

ADOPTED this the 13th day of September, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 13th day of September, 2012.

Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 12- _____

Attachment A, Page 1

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Albert Wayne Malone 3904 Nell Ave., SW (Unit A) Huntsville, AL 35805	3904 Nell Ave SW UNIT A LOT 2 BL 1 H E FOSTER S/D	7-24-2012	\$228.94
Annette L. Duncan & McKinley Duncan 2731 Oaktree Ln., NW Huntsville, AL 35810	2731 Oaktree Ln NW LOT 25 BL 1 BLUE SPRING ACRES JT SURV DB 979/566 9/21/00	7-23-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Ashok M. Patel 930 N. Beckley Rd. Lancaster, TX 75146	Vacant property behind 6400 block of Green Meadow Rd and behind 6506 and 6508 Sparkling Dew Ln NW PART OF SEC 3 BEG E 649.07 FT N 147 FT E 11.09 FT N 553 FT N 582.33 FT N 62 DEG E 139.82 FT N 62 DEG E 50.47 FT N 62 DEG E 13972 FT S 26 DEG E 40 FT N 62 DEG E 139.96 FT N 26 DEG W 40 FT N 63 DEG E 50.02 FT N 62 DEG E 139.88 FT N 27 DEG W 1201.55 FT E 511.78 FT FR THE CEN OF THE S BDY OF SEC 3 TH FT THE P/O/B E 833.09 FT TH S 1097.26 FT TH W 161.69 FT TH N 9.44 FT TH W 285 FT TH N 100 FT TH S 73 DEG W 26.54 FT TH N 27 DEG W 229.20 FT TH N 10 DEG W 52.50 FT TH N 27 DEG W 624.18 FT TH AR CURVE TO RIGHT RADIUS 835 FT CHORD BEARING & DIS OF N 72 DEG 73.98 FT TH N 15 DEG W 173.49 FT TO THE P/O/B & CONTA 16.83 AC M/L SEC T3 R1W	7-30-2012	\$332.16
Bellsouth Mobility LLC, d/b/a Cingular Wireless P. O. Box 97061 Redman, WA 98073	212 CRAWFORD ST NW LOT 14 BROWN & WINDSTON ADD	7-17-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
CADENCE BANK f/k/a Superior Bank-NA 312 Clinton Ave., W Huntsville, AL 35801	3425 Glen Park Dr NW LOT 13 BL 4 GLEN PARK 4TH ADD PB 3 PG 193	8-1-2012	\$246.44
Chad L. Conrad 3802 Drake Ave., SW Huntsville, AL 35805	3802 Drake Ave SW LOT 2 BLK 3 PINECREST MANOR S/D PB 2 PG 241	7-25-2012	\$259.91
Dana S. Fletcher 4607 Whitehall Dr. Huntsville, AL 35816	6415 Flo Dr NW LOT 3 BLK 1 THISTLEDOWNE S/D PH I PB 17 PG 47	8-1-2012	\$197.97
David J. Fatzer 14100 South Shawdee Rd., SE Huntsville, AL 35803	14100 South Shawdee Rd SE ALL THAT PART OF THE SE1/4 OF SEC 22 MORE PARTIC DESC AS FOLL BEG S 630.0 FT S 87 DEG E 721.80 FT N 18 DEG W 159.73 FT FR THE CEN OF THE N BDRY OF THE SE1/4 OF SEC 22 TH FR THE P/O/B N 17 DEG W 159.52 FT TH S 88 DEG E 222.57 FT TH S 44 DEG E 141.43 FT TH S 47 DEG E 66.91 FT TH W 321.06 FT TO THE P/O/B & CONTA 0.917 AC M/L SEC 22 T5 R1E DB 1031/407 9/26/02	8-7-2012	\$259.91

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Dean Walls 3111 Hillandale Rd., NW Huntsville, AL 35816	3111 HILLANDALE RD NW LOT 33 BL 8 F K NOOJINS HILLANDALE ADD RESUB OF LOT 30 BLK 5 & LOTS 1- 8 & 14-35 BLK 8, 9 & 10 F K NOOJINS HILLANDALE PB 1 PG 158	7-16-2012	\$259.91
Dorothy L. Collins 231 Victory Ln., NE Huntsville, AL 35811	231 Victory Ln NE LOT 17 BL H EDMONTON HGTS PT A	7-18-2012	\$197.97
Fannie Mae a/k/a Federal National Mortgage Association c/o Countrywide Home Loans, Inc. 7105 Corporate Dr. Mail Stop PTV-C Plano, TX 75024	1504 MONT DALE RD SE LOT 9 BLOCK 1 MONTDALE S/D AND A TRIANGULAR PARCEL OF LAND TAKEN FROM THE EAST SIDE OF LOT 8, BLOCK 1 MONTDALE S/D	7-17-2012	\$259.91
Grimmer Realty Co., Inc. c/o Samuel A. Grimmer 200 Green Springs Hwy. Birmingham, AL 35209	Vacant property north of 1616 Pulaski Pike NW PT OF SW1/4 OF SEC 26 BEG 1741.1 FT W & N 36 DEG W 267.7 FT FR CEN OF S BDRY OF SEC 26 TH N 37 DEG W ALONG PULASKI PIKE 204.2 FT TH N 52 DEG E 187.5 FT TH S 37 DEG E 85 FT TH N 52 DEG E 12.5 FT TH S 37 DEG E 126.1 FT TH S 53 DEG W 200 FT TO BEG EX S 150 FT SEC 26 T3 R1W	7-16-2012	\$210.72

RESOLUTION NO: 12-_____

Attachment A, Page 5

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Izola Hinton 5010 Clardy Rd., NW Huntsville, AL 35810	5010 CLARDY RD NW LOT 3 BL 2 HOLLY ACRES S/D PB 3 PG 67	7-24-2012	\$259.91
James & Myra Johnson 119 Misty Morn Ln. Huntsville, AL 35811	903 PARKLANE AVE NW LOT 10 BL 4 F K NOOJINS HILLANDALE ADD	7-16-2012	\$197.97
Jamie A. & Lakiesha Dobbs 219 Chris Ryan Dr. Toney, AL 35773	1019 SANDY SPRINGS RD NW LOT 5 BLK 1 WESTVIEW S/D 2ND ADD	7-24-2012	\$197.97
Jimmy Allen 5211 Durinda Ln., NW Huntsville, AL 35810	3007 Turf Ave NW LOT 17 BL 5 LOVE S/D 2ND ADD CHG FROM 3-1W-34-F- 33 PER COMP MAPPING STAT WARR SURV DB 887/651 12/16/96 PREV ASSD: COLONIAL BANK	8-8-2012	\$246.44
John Burrton 234 Knox Creek Trl., NW Madison, AL 35758	234 Knox Creek Trl NW LOT 32 BLK 3 KNOX CREEK 3RD ADD PB 22 PG 56-58	8-3-2012	\$259.91
Johnny C. & Nancy Couch 3807 Ridgecrest Cir., SW Huntsville, AL 35805	3807 Ridgecrest Cir SW LOT 8 BL 1 TUCKER ESTS	8-8-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Kimberly Ann Lyle 10024 Strong Dr., SE Huntsville, AL 35803	10024 Strong Dr SE LOT 13 BLK D LILY FLAGG ACRES S/D 8TH ADD PB 2 PG 175	7-25-2012	\$259.91
Kimberlyn Whitacre & Kimberly Baylis 410 O'Shaughnessy Ave., NE Huntsville, AL 35801	410 OSHAUGHNESSY AVE NE LOT 6 BL 47 EAST HVILLE ADD	7-17-2012	\$197.97
Lori D. Ellis 1703 Big Cove Rd., SE Huntsville, AL 35801	211 Albany Dr NE LOT 128 CHASE SHADOW 4TH ADD LOTS 110-134 & 148- 151	7-19-2012	\$197.97
Lucius T. & Joy A. Moss 4302 Chalet Cir., NW Huntsville, AL 35810	Vacant lot at southeast corner of Lodge Rd and Delicado Dr NW (3221 Delicado Dr NW) LOT 1 BLK 5 GROVE PARK 2ND ADD SUV DB 705/1135 11/12/87	8-3-2012	\$210.72

RESOLUTION NO: 12- _____

Attachment A, Page 7

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Malcolm White 5007 Hemingford Ct. Palmetto, FL 34221	Vacant property west of 2732 Clayton Ave NW PT OF NE1/4 OF NE1/4 OF SEC 27 DESC AS BEG S 468.4 FT & W 483.4 FT S 116.09 FT 7 W 405 FT & W 100 FT FR NE COR OF SEC 27 TH W 80 FT TH N 115.90 FT TH E 80 FT TH S 115.68 FT TO BEG SEC 27 T3 R1W	7-17-2012	\$210.72
Mercury Funding, LLC P.O. Box 772837 Memphis, TN 38177	201 WALKER AVE NE PT OF LOT 2 BL 320 WALKER ST EX N 15 FT	8-2-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Rae Degourville 2040 West 27 St. Los Angeles, CA 90018	4114 Triana Blv SW ALL THAT PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 14 OF TRIANA VILLAGE SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 26 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISION COUNTY, ALABAMA; THENCE ALONG THE EAST MARGIN OF SAID TRIANA VILLAGE SUBDIVISION NORTH 05 DEGREES 16 MINUTES EAST 246.71 FEET TO A POINT; THENCE NORTH 89 DEGREES 23 MINUTES EAST 386.73 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING, NORTH 89 DEGREES 23 MINUTES EAST, A DISTANCE OF 137.00 FEET TO A POINT ON THE WEST MARGIN OF TRIANA BOULEVARD; THENCE SOUTH 00 DEGREES 25 MINUTES 00 SECONDS WEST ALONG THE WEST MARGIN OF TRIANA BOULEVARD, A DISTANCE OF 82.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 35 MINUTES 00 SECONDS WEST, A DISTANCE OF 75.00 FEET TO A POINT; THENCE SOUTH 68 DEGREES 15 MINUTES 21 SECONDS WEST, A DISTANCE OF 29.15 FEET TO A POINT;	8-8-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
	THENCE NORTH 20 DEGREES 42 MINUTES 31 SECONDS WEST A DISTANCE OF 97.05 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN THE COUNTY OF MADISON, STATE OF ALABAMA. SUBJECT TO THE EASEMENT DESCRIBED IN AN EASEMENT DEED AS RECORDED IN DEED BOOK 738, PAGE 1193, PROBATE RECORDS OF MADISON COUNTY, ALABAMA		
Richard L. McDaniel & Nicole Elizabeth Werner 29732 Robert Lee Ct., NW Harvest, AL 35749	29732 ROBERT LEE CT NW LOT 36 BLK 1 ROCK CREEK PHASE 2	7-27-2012	\$274.16
Tamecia T. & Patrick L. Bone 3709 Pecan Grove Dr., NW Huntsville, AL 35810	3709 Pecan Grove Dr NW Lot 14, Blk 2, Pecan Grove Est.	8-9-2012	\$259.91
Terry Heights Hillandale Community Development Co. 7000 Adventist Blv. Huntsville, AL 35896	2211 Bell Ave NW LOT 8, BLK 2 SUB: GURLEY ADD		\$259.91
Venetia F. & Jennita D. Jones 419 South Plymouth Rd., NW Huntsville, AL 35811	419 South Plymouth Rd NW LOT 13 BLK E COLONIAL HILLS ADD	7-18-2012	\$197.97

RESOLUTION NO: 12- _____

Attachment A, Page 10

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Walker Properties P.O. Box 19062 Huntsville, AL 35804	Vacant lot east of 110 McCormick Dr NW LOT 3 BLK N THE RESUB OF BLK N S & X OF KILDARE ESTATES PB 1 PG 169	8-2-2012	\$210.72
Wild Boys Land & Cattle Co. Inc. c/o W. John Hathaway, Agt. 112-F South Side Square Huntsville, AL 35801	4901 Cotton Row NW PART OF LOT 1 BLK 1 COTTON ROW EST COMM AT SE COR OF SD LOT 1 FUR DESC AS BEING W MAR OF SPARKMAN DR R/O/W TH FR P/O/B S 86 DEG W 83.90 FT TH N 3 DEG W 159.97 FT TO PC ON S MAR OF COTTON ROW R/O/W MAR HAV RAD OF 525.85 FT TH ALG SD CUR TO RT & ALG S R/O/W MAR OF COTTON R/O/W CHORD BEAR & DIST N 82 DEG E 63.88 FT AN ARC DIST OF 63.92 FT TH CONT ALG COTTON ROW CHORD BEAR & DIST S 48 DEG E 36.05 FT AN ARC DIST OF 40.27 FT TH S 1 DEG E 138.32 FT TO P/O/B	7-17-2012	\$210.72
William H. and Mary A. Carroll 741 Plummer Rd. (Unit 717) Huntsville, AL 35806	2700 Monticello Dr NW LOT 21 BL 4 GREEN HILLS 8TH ADD	8-8-2012	\$246.44

RESOLUTION NO: 12-_____

Attachment A, Page 11

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
William M. McBride 679 Carters Grove Rd. Toney, AL 35773	11823 West Gateway Dr SE LOT 3 BLK 2 SUB: REDSTONE HEIGHTS	8-2-2012	\$259.91
Willie J. & Loretta A. Brown 111 Danforth Dr. Harvest, AL 35749	3807 Melody Rd NE LOT 21 BL I EDMONTON HGTS PT A	7-19-2012	\$197.97